

**EXHIBIT B - CONDITIONS OF APPROVAL**

**Authorized Use**

1. This permit authorizes:
  - a. The demolition of an existing 144 square foot, second story covered deck, and the construction of a new 321 square foot, second story covered deck. The existing and proposed deck is attached to the rear of an existing single family residence and will result in the disturbance of approximately 321 square feet of a 4,511 square foot parcel.
  - b. The for the existing single family residence to be used as a residential vacation rental, and because the proposed residential vacation rental would be within 50 feet of another/existing residential vacation rental, a modification of the location standard is required.
2. The project shall be consistent with the approved site plan, floor plan and elevations.

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

3. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.

***Grading, Drainage, Sedimentation and Erosion Control***

4. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with 23.05.036.
5. **At the time of application for construction permits**, the applicant shall submit a drainage plan for review and approval by the County Department of Public Works. Drainage plans shall be designed to retain water on-site and encourage infiltration when feasible. Natural drainage patterns should be retained and remediated if retention is infeasible on-site.

***Fire Safety***

6. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

***Landscape Plan***

7. **At the time of application for construction permits**, the applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project activities with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

**Conditions to be completed prior to issuance of a construction permit**

8. **Prior to issuance of a construction permit**, the as-built conversion of the lower level garage is to be rectified by obtaining an as-built building permit for an interior remodel to provide a connection between the lower and upper level living areas. The as-built building permit for the interior remodel shall be finalized before a building permit can be issued for this Minor Use Permit / Coastal Development Permit.

***Fees***

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

**Conditions to be completed during project construction**

***Archaeology***

10. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
  - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
  - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

***Construction***

11. **During all phases of development**, construction activities for the proposed project shall be limited to the hours between 7 am and 9 pm Monday to Friday and 8 am to 5 pm Saturday to Sunday in accordance with Section 23.06.042 of the Coastal Zone Land Use Ordinance.

**Conditions to be completed prior to occupancy or final building inspection**

***Fire Protection***

12. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire / life safety measures.

***Building Review***

13. **Prior to final building inspection associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**Residential Vacation Rental Operational Conditions**

14. Prior to issuance of a Business License for the residential vacation rental, the as-built conversion of the lower level garage is to be rectified by obtaining an as-built building permit for an interior remodel to provide a connection between the lower and upper level living areas. The as-built building permit for the interior remodel shall be finalized before a Business License for the residential vacation rental can be issued.

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15. Rental of the residence shall not exceed four individual tenancies per calendar month. The first day of each tenancy determines the month assigned to that tenancy. No additional occupancy of the residence (with the exception of the property owner and private non-paying guests) shall occur. A residential vacation rental shall only be used for the purposes of occupancy as a vacation rental or as a full time occupied unit. No other use (i.e.: home occupation, temporary event, homestay) shall be allowed on the site.
16. The maximum number of occupants allowed in the residential vacation rental shall not exceed the number of occupants that can be accommodated consistent with the onsite parking requirement, and shall not exceed two persons per bedroom plus two additional persons, or six persons total.
17. The residential vacation rental is not to change the residential character of the outside appearance of the building, either by the use of colors, materials, lighting, or by the construction of accessory structures or garages visible from off-site and not of the same architectural character as the residence; or by the emission of noise, glare, flashing lights, vibrations or odors not commonly experienced in residential areas.
18. Availability of the rental unit to the public shall not be advertised on site.
19. Vehicles used and traffic generated by the residential vacation rental shall not exceed the type of vehicles or traffic volume normally generated by a home occupied by a full time resident in a residential neighborhood. Normal residential traffic volume means up to 10 trips per day.
20. All parking associated with the residential vacation rental shall be entirely on-site, in a garage, driveway or otherwise out of the roadway. Tenants of the vacation rental shall not use on-street parking at any time.
21. The residential vacation rental shall comply with the standards of Section 23.06.040 et seq. (Noise Standards). No residential vacation rental is to involve on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings. The property owners and/or property managers shall insure that the occupants of the residential vacation rental do not create loud or unreasonable noise that disturbs others and is not in keeping with the character of the surrounding neighborhood. Loud and unreasonable noise shall be evaluated through field observations by a County Sheriff, County Code Enforcement or other official personnel, based upon a threshold of noise disturbance related to the residential vacation rental use that is audible from a distance of 50 feet from the property lines of the rental property.
22. The property owner shall designate a local property manager or contact person. The local property manager or contact person shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. Where a property owner lives within the same community as the residential vacation rental, the property owner may designate themselves as the local contact person. The following requirements shall apply:
  - a. A notice shall be submitted to the Department of Planning and Building, the local Sheriff Substation, the main county Sheriff's Office; the local fire agency and supplied to the property owners within a 200 foot radius of the proposed residential vacation rental site. Distances shall be measured as a radius from the

exterior property lines of the property containing the residential vacation rental unit. This notice shall state the property owner's intention to establish a residential vacation rental and shall include the name, address and phone number of the local contact person and the standards for noise, parking and maximum number of occupants. A copy of the notice, a form certifying that the notice has been sent and a list of the property owners notified shall be supplied to the Planning and Building Department at the time of application for the Business License and Transient Occupancy Tax Certificate for the residential vacation rental.

- b. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners. In addition, the standards for parking, maximum occupancy and noise shall be posted inside the residential vacation rental unit and shall be incorporated as an addendum to the vacation rental contracts.
- 23. The residential vacation rental shall meet the regulations and standards set forth in Chapter 3.08 of the County Code, including any required payment of transient occupancy tax for the residential vacation rental. The Transient Occupancy Tax Certificate number shall be included in all advertising for the residential vacation rental.
  - 24. If the Business License issued for the residential vacation rental, expires pursuant to Tide 6 of the County Code, a new Zoning Clearance and/or Business License shall be required and shall be subject to all standards as set forth in the Residential Vacation Rental Ordinance (Section 23.08.165).
  - 25. Penalties for violation of these conditions of approval may include revocation of the Minor Use Permit, Zoning Clearance and/or Business License. Violations that will cause the processing of revocation include:
    - a. Failure to notify County staff when the contact person, or contact information, changes.
    - b. Violation of the residential vacation rental tenancy standards.
    - c. Violation of the residential vacation rental maximum occupancy, parking and noise requirements.
    - d. The inability of County staff or the Sheriff's Dispatch to reach a contact person.
    - e. Failure of the local contact person, or property owner, to respond the complaint.

Three verified violations, as determined by a County Planning and Building staff person, within any consecutive six month period, shall be grounds for revocation of the Minor Use Permit, Zoning Clearance and/or Business License. Signed affidavits by members of the community may be used to verify violations. Revocation of the Minor Use Permit, Zoning Clearance and/or Business License shall follow the same procedure used for land use permit revocation as set forth in Section 23.10.160 of the Coastal Zone Land Use Ordinance. The Director of Planning and Building will hold the initial revocation hearing.

**On-going conditions of approval (valid for the life of the project)**

- 26. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land

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use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

27. For the purpose of the residential vacation rental, this land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once proof of Transient Occupancy Tax payment to the County Tax Collector is submitted to the Department of Planning and Building within 24 months of approval.
28. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.